

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDREW LINTON,
Plaintiff,

v.

COLPO TALPA, LLC,
Defendant.

Case No. 25-cv-04242-JCS

**ORDER GRANTING MOTION TO
QUASH**

Re: Dkt. No. 13

Third party Jaries Azar has filed a motion to quash a subpoena that has been served upon him by Plaintiff in this action. Pursuant to Rule 23(d)(1) of the Federal Rules of Civil Procedure, “[a] party may not seek discovery from any source before the parties have conferred as required by Rule 26(f), except in a proceeding exempted from initial disclosure under Rule 26(a)(1)(B), or when authorized by these rules, by stipulation, or by court order.” A motion to enforce a judgment of the bankruptcy court does not fall under any exception to that requirement under Rule 26(a)(1)(B). Accordingly, the Motion to Quash is GRANTED on the basis that discovery is not yet open and the Court has not authorized Plaintiff to issue any subpoenas in this case. The Court does not reach the substantive merits of Azar’s Motion to Quash at this time. The motion hearing noticed for August 21, 2025 is vacated.

IT IS SO ORDERED.

Dated: June 25, 2025


JOSEPH C. SPERO
United States Magistrate Judge